

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION OF  
THE KINGDOM OF DENMARK  
(SKATTEFORVALTNINGEN) TAX REFUND  
SCHEME LITIGATION

This document relates to: No. 18-cv-4899.

MASTER DOCKET

18-md-2865 (LAK)

**STIPULATION AND [PROPOSED] ORDER OF PARTIAL VOLUNTARY DISMISSAL  
PURSUANT TO FED. R. CIV. P. 41(a)(2)**

WHEREAS Plaintiff Skatteforvaltningen (“SKAT”) has asserted claims against Defendants Sander Gerber and the Sander Gerber Pension Plan (together, the “Gerber Defendants”) in the action titled *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899;

WHEREAS SKAT and the Gerber Defendants have now entered into a settlement agreement resolving those claims;

WHEREAS SKAT wishes to voluntarily dismiss with prejudice the Gerber Defendants from *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure;<sup>1</sup>

WHEREAS the dismissal is not intended to affect any of the claims asserted against Defendant John Doscas in the action captioned *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899, or any other action;

---

<sup>1</sup> SKAT has in the past voluntarily dismissed claims against certain parties by stipulation pursuant to Fed. R. Civ. P. 41(a)(1)(A), *see, e.g.*, Stipulation and Order of Partial Voluntary Dismissal, ECF No. 902. This rule, however, requires the signature of “all parties who have appeared.” Because Defendant John Doscas has declined to sign such a stipulation, SKAT and the Gerber Defendants request that the Court order the current stipulation under Rule 41(a)(2).

IT is therefore STIPULATED AND AGREED that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Gerber Defendants are dismissed with prejudice from the action *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899; and

IT is further STIPULATED AND AGREED that SKAT's claims against Defendant John Doscas remain active in the action captioned *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899.

Dated: New York, New York  
March 19, 2024

By: /s/ Marc A. Weinstein  
Marc A. Weinstein  
HUGHES HUBBARD & REED LLP  
One Battery Park Plaza  
New York, New York 10004-1482  
Telephone: (212) 837-6000  
Marc.weinstein@hugheshubbard.com

*Counsel for Plaintiff Skatteforvaltningen  
(Customs and Tax Administration of the  
Kingdom of Denmark)*

By: /s/ Stephen D. Andrews  
Stephen D. Andrews  
WILLIAMS & CONNOLLY LLP  
680 Maine Avenue SW  
Washington, DC 20024  
Telephone: (202) 434-5291  
SAndrews@wc.com

*Counsel for Defendants Sander Gerber and  
the Sander Gerber Pension Plan*

SO ORDERED:

---

Hon. Lewis A. Kaplan  
United States District Judge